

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Plain Midstream Alto Terminal
6050 Alden Nash Avenue
Alto, Michigan 49302

ATTENTION:

Michael Smith
PSM Specialist
Mike.smith@plainsmidstream.com

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Plain Midstream Alto Terminal (PMAT or you) to submit certain information about the facility at 6050 Alden Nash Avenue, Alto, Michigan. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, Region 5.

PMAT owns and operates a flammable storage facility at the Alto, Michigan facility. We are requesting this information to determine whether your facility is complying with the Chemical Accident Prevention Provisions at 40 C.F.R. Part 68.

At this time, EPA Region 5 is not accepting any hard-copy document deliveries. If possible, we ask PMAT to upload all required information to the secured web-link shared with you

at the time you received this request. If you did not receive a web-link, or if you are having technical difficulties, you must contact Natalia Vazquez at vazquez.natalia@epa.gov or 312-353-8314 to make arrangements to submit your response.

PMAT must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

You may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice.

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject PMAT to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Natalia Vazquez at 312-353-8314.

Michael D. Harris
Division Director
Enforcement and Compliance Assurance
Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission to the secure web-link provided by EPA.
4. Provide a table of contents of all electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. We recommend the use of electronic file folders organized by question number.
5. Please submit documents claimed as confidential business information (CBI) in separate file folders apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or 40 C.F.R. Part 68 Chemical accident Prevention Provisions (CAPP)

1. Process means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities. For the purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process. 40 C.F.R. § 68.3.
2. Regulated substance is any substance listed pursuant to section 112(r)(3) of the Clean Air Act as amended, in § 68.130. 40 C.F.R. § 68.3.
3. Replacement in kind means a replacement that satisfies the design specifications. 40 C.F.R. § 68.3.
4. Vessel means any reactor, tank, drum, barrel, cylinder, vat, kettle, boiler, pipe, hose, or other container. 40 C.F.R. § 68.3.

Appendix B

Information You Are Required to Submit to EPA

PMAT must submit the following information regarding the facility located at 6050 Alden Nash Avenue, Alto, Michigan, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a):

1. Provide the following information on the Facility:
 - a. Facility ownership/tenant history;
 - b. Date operations began;
 - c. Facility size;
 - d. Operating shifts;
 - e. Number of people employed;
 - f. Facility owner/tenant information;
 - g. Facility operation and manufacturing process descriptions;
 - h. NAICS codes; and
 - i. Any in-house emergency response (if applicable);
2. Provide the Safety Data Sheets for butane, propane, and ethyl mercaptan.
3. Provide a list of all substances in use or stored at the Facility that are listed in any of the tables at 40 C.F.R. § 68.130 and that were not listed in question 2 of this request. Include the total mass of each substance that is present at the facility (i.e., stored, used, manufactured or handled).
4. Provide the amount and duration of release of butane, propane and/or ethyl mercaptan for any release that has occurred at the Facility in the last 5 years. For each release, provide the piping and instrumentation diagram, with keys/legends, for the process in which the release occurred.
5. Provide the 5-year accident history records for the Facility.
6. Provide documentation used for any determination of offsite impacts as defined in 40 C.F.R. §§ 68.30 & 68.33.
7. Provide records that demonstrate the coordination of your emergency response program with local responders.
8. Submit copies of invoices for all butane, propane, and ethyl mercaptan purchases since January 1, 2020, and/or similar records related to butane, propane and ethyl mercaptan being brought into the facility.
9. Since February 2, 2020, has the facility made any changes (except for replacement in kind)? If the facility has made changes, provide copies of management of change (MOC) and pre-startup safety review (PSSR) related to

these changes in accordance with 40 C.F.R. § 68.75 and § 68.77. Include open and completed MOC and PSSR.

10. Submit the following Process Safety Information for butane, propane, and ethyl mercaptan in accordance with 40 C.F.R. § 68.65(c) and (d):
 - a. Maximum intended inventory (include vessel size and maximum chemical storage for each piece of equipment);
 - b. Safe upper and lower limit for such items as temperatures, pressures, flows, or compositions;
 - c. An evaluation of the consequences of deviation;
 - d. Materials of construction;
 - e. Piping and instrument diagram (P&ID);
 - f. Relief system design and design basis; and
 - g. Safety systems.
11. Submit the two most recent, complete Process Hazard Analyses performed in accordance with 40 C.F.R. § 68.67 for the each of the butane, propane, and ethyl mercaptan processes. Include a list of all open action items from the Process Hazard Analysis, a time frame for when the action item will be completed, and reasons for why the action item has not yet been completed. PMAT doesn't need to submit the list of PHA recommendations from the 2018 PHA.
12. Submit copies of the most current Operating Procedures developed for the butane, propane, and ethyl mercaptan process developed in compliance with 40 C.F.R. § 68.69. Specifically, provide copies of the following Operating Procedures:
 - a. Butane bullet loading;
 - b. Propane bullet loading;
 - c. Butane rail loading;
 - d. Propane rail loading; and
 - e. Propane truck loading.
13. Submit a list of all employees that currently operate systems for the butane, propane, and ethyl mercaptan processes. Additionally, include current training documentation, for initial and refresher training, of the identified process in accordance with 40 C.F.R. § 68.71(c).
14. Submit evidence that the Mechanical Integrity internal and external inspections took place in accordance with 40 C.F.R. § 68.73(d) on the following equipment:
 - a. Butane vessel V-410;
 - b. Butane vessel V430; and
 - c. Propane vessel V-500.
15. Submit a copy of the most recent compliance audit report conducted to comply with 40 C.F.R. § 68.79. Describe the scope of the investigation done to prepare the audit report.

16. Submit the Facility's contractor safety policy for butane, propane, and ethyl mercaptan as developed in accordance with 40 C.F.R. § 68.87.
17. Provide a list of high high (HH), high (H), low (L), and low low (LL) alarms related to the butane, propane, and ethyl mercaptan process. For each alarm include the parameter, value, and unit that it represents. If applicable, make a distinction between safety related alarms and process monitoring alarms.
18. Describe how much of the butane, propane, and ethyl mercaptan inventory is stored in railcars on site and where these railcars are located.
19. Describe how much of the butane, propane, and ethyl mercaptan inventory is stored in railcars located offsite and describe where these railcars are located.